

Attorney Docket No. 233-568-USP

**REMARKS**

This Amendment is being submitted in response to and is fully responsive to the Examiner's Office Action dated September 14, 2006. Claims 5-7 and 23-25 are pending in the application. Claims 23-25 have been newly added herein. Claims 1-4 and 8-22 have been canceled.

Interview Summary

A telephone interview was conducted on November 7, 2006. Attendees of the interview were Richard J. Holzer, Jr. (#42,668), Heather C. Larson (50,411), Examiner Tuyetlien T. Tran, and the Examiner's Primary Examiner. Claims 1 and 10 were discussed in light of the Germain reference (Pub. No. US2005/0039132; hereinafter "Germain") and no agreement was reached. Applicants have canceled claims 1 and 10 herein, thus further discussion of these claims is now moot.

Rejections Under 35 USC § 101

Claims 18-22 stand rejected under 35 USC 101 as being directed toward non-statutory subject matter. Applicants have canceled claims 18-22 herein, thus the rejection of these claims is now moot.

Rejections Under 35 USC § 102(e)

Claims 1-4, 8, 10-14 and 17 stand rejected under 35 USC 102(e) as being anticipated by Germain et al. (Pub. No. US2005/0039132; hereinafter "Germain"). Applicants have canceled claims 1-4, 8, 10-14 and 17 herein, thus the rejection of these claims is now moot.

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Rejections Under 35 USC § 103(a)

Claims 9, 15, 16, 18-22 stand rejected under 35 USC 103(a) as being unpatentable over Germain et al. (Pub. No. US2005/0039132; hereinafter "Germain") in view of Nelles et al. (Pub. No. US2006/0129939; hereinafter "Nelles"), Byrnes (Pub. No. US2002/0095493; hereinafter "Byrnes"), and/or Olson (US Pat. No. 6,381,036; hereinafter "Olson"). Applicants have canceled claims 9, 15, 16, 18-22 herein, thus the rejection of these claims is now moot.

Allowable Subject Matter

The Examiner has objected to claims 5-7 as being dependent upon a rejected base claim, but has indicated that claims 5-7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants have rewritten claims 5-7 to overcome these objections.

Specifically, Applicants have rewritten claim 5 in independent form to incorporate the limitations of the base claim (e.g. former claim 1) and any intervening claims (e.g. former claims 3 and 4). Additionally, Applicants have made minor clarifying amendments to the last limitation of claim 5 and these minor amendments are not believed to add new matter or change the intended scope of the claim. Amended claim 5 is believed to be allowable because it has been rewritten in independent form to incorporate the limitations of the base claim and any intervening claims, as per the Examiner's suggestion. Claims 6 and 7 depend from amended independent claim 5 and are believed to be allowable, at least, because they depend from an allowable independent claim 5.

New Claims 23-25

New claims 23-25 have been added herein. New independent claim 23 recites, "[a] computer-readable medium having computer-executable instructions for performing a computer process that displays storage area network monitoring information ..." which

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comprises elements/limitations similar to those of amended Independent claim 5. Similarly, new dependent claims 24 and 25 recite, "[t]he computer-readable medium of claim 23 ..." which comprise elements/limitation similar to those of claims 6 and 7. Because new claims 23-25 contain elements/limitations similar to those of allowable claims 5-7, new claims 23-25 are not believed to contain any new matter.

Because the Examiner has indicated that claim 5 is allowable, claim 23 should also be allowable, at least, for the same reasons that claim 5 is allowable. Similarly, dependent claims 24 and 25 should be allowable, at least, because they depend from an allowable claim 23 and for the same reasons that claims 6 and 7 are allowable.

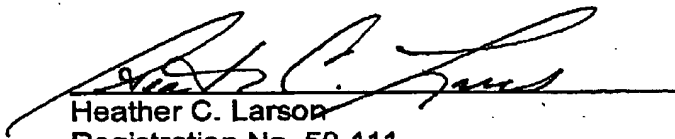
### CONCLUSION

Given the above Remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefore and authorization to charge Deposit Account No. 50-3199 as necessary.

Dated: November 13<sup>th</sup>, 2006.

Respectfully submitted,



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